

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 5, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-24723 - APPLICANT: JON BAKTARI OWNER: SHIRAZI, LLC

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Provide trash and receptacle enclosure in accordance with Title 19.08
2. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Delivery and Service Vehicle use including parking, screening and lighting requirements.
3. Prior to installation submit a revised landscape plan indicating renewal of the originally approved landscape plan and a parking plan depicting number and dimension of parking spaces and effective screening of parking lot from the surrounding area.
4. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

6. Coordinate with the Department of Building and Safety to determine if existing property lines have any impact to development of this site.
7. If the entry gates proposed are to be electrically opened and closed, the gates may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is to be manually opened and closed, the gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate; alternatively the gates shall remain open during regular business hours. The installation of either swing gates or rolling gates is acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit (SUP-24723) for a proposed delivery and service vehicle storage on 0.65 acres at 900 Stewart Avenue. The use would include parking for passenger car, pick-up trucks and small service vehicles which would be entering and exiting the site once per day. Currently the parking lot is unoccupied.

A landscaping plan for the parking lot was approved in 1998 when it was to be used as satellite parking for Campaigne Place (211 8th Street). A later review of the condition determined the required satellite parking was not necessary. The existing landscape on the perimeter and within the interior of the site has deteriorated and no longer matches the originally approved landscape design. If the parking lot can be effectively screened as required by the zoning code, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/20/96	The City Council approved a request for a Variance (V-98-96) on property located at 201 and 222 north 8th street to allow a 341 unit, 4 story single room occupancy apartment complex where such a use is not allowed with the condition number requiring the applicant to apply for an off-site satellite parking review and approval by the City Council.
11/21/02	The City Council approved a Review of Condition Number 1 (ROC-1216) of an approved Variance (VAR-0098-96) which required off-site satellite parking review to be approved by the City Council on property located at 211 North 8 th Street. The additional off-site parking being proposed was located at 9 th Street and Stewart Avenue. City records indicate it was determined that all parking requirements were being met on the site at 211 North 8 th Street, therefore, there was no longer a need for the off-site satellite parking. Staff recommended approval.
11/08/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #24/lhm).
<i>Related Building Permits/Business Licenses</i>	
10/07/98	The Planning and Development Department inspector approved a landscaping plan for a parking lot on the corner of 9 th Street and Stewart Avenue.
<i>Pre-Application Meeting</i>	
09/13/07	The requirements for storage vehicle parking and the submittal requirements for the application were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required for this application, nor was one held.	

<i>Field Check</i>	
10/18/07	The parking lot was unoccupied, gated and locked. An inventory of the existing landscape was performed and found to be deficient.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.65

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot	MXU (Mixed Use)	C-2 (General Commercial)
North	Stewart Ave / Church	MXU (Mixed Use)	C-2 (General Commercial)
South	Multi-Family	MXU (Mixed Use)	C-2 (General Commercial)
East	Alley / Multi-Family and Commercial	MXU (Mixed Use)	C-2 (General Commercial)
West	9 th Street / Multi-Family	MXU (Mixed Use)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		N
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Code section Title 19.12

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1/6 Trees/Space	13 Trees	6 Trees within lot	N*
Buffer: Min. Trees	1 Trees/ 30 Linear Feet	25	11 Trees	N*

*For comparison this chart exhibits current landscaping requirements. The landscaping for the existing parking lot was installed and approved in 1998. Since that time many of the plantings no longer exist and mulch ground cover has disappeared. A condition has been added for the

planters to be replanted and maintained to comply with the originally approved landscape plan, and prior to installation a revised plan shall be submitted for approval by the Planning and Development Department.

Pursuant to Title 19.04 the on-site parking requirement for a Delivery and Service Vehicle Storage facility is .75 spaces for employee on the largest shift, plus one space per delivery or service vehicle. Shown on the submitted site plan are 82 parking spaces within the existing parking lot, four handicap spaces are required but not indicated on the site plan. An analysis of the amount of employee parking and delivery or service parking will be provided for determination of number of spaces required.

ANALYSIS

A Delivery and Service Vehicle Storage facility is an allowed use within the C-2 (General Commercial) zone and is described in Title 19.04, *as an area or facility for the parking and storage of commercial fleet vehicles that are used primarily in connection with the delivery of goods and services to the surrounding community.*

The minimum Special Use Permit Requirements for a Delivery and Service Vehicle Storage are as follows:

1. All areas used for the parking and storage of vehicles shall be paved, and shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
2. Lighting shall be shielded from adjacent properties.
3. The use shall not occupy or interfere with any parking spaces that are required for any other existing or proposed uses for which required parking is or will be provided on the site.
4. None of the following activities shall be permitted on the site:
 - a. The repair or servicing of vehicles.
 - b. The storage or warehousing of goods or merchandise.

The existing parking lot is surrounded by a wrought iron fence, which does not meet the screening requirement to restrict visibility of the lot and vehicles from adjoining properties or public rights-of-way. An electronic gate limits or allows access to the site. At the time of the site visit the gate was locked and the parking lot was vacant. An inventory and comparison of an approved landscaping plan for the site and existing conditions revealed of the 21 trees shown on the approved plan 15 trees are existing and thriving. Of the numerous shrubs shown on the 1998 landscape plan, few have survived and the rock mulch ground cover is in need of replacement. A condition has been added requiring an updated and revised landscaping plan and to include parking space dimensions and count along with elevations depicting appropriate screening to be submitted for approval by the Planning and Development Department prior to a business license being issued.

FINDINGS

The following findings must be made for a Special Use Permit:

- 1. “The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Delivery and Service Vehicle Storage use is compatible with other uses on surrounding properties zoned C-2 (General Commercial). The existing parking lot is located within the Downtown Redevelopment Area where such a use is compatible if conditions are met.

- 2. “The subject site is physically suitable for the type and intensity of land use proposed.”**

The existing parking lot spaces are striped to accommodate 81 Delivery and Service Vehicles such as cars, trucks and vans. A wrought iron fence surrounds the parking lot, with access through an electric gate on 9th street.

- 3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The parking lot is on the southeast corner of Stewart Avenue (100-foot primary arterial) and 9th Street (80-foot secondary collector). Access to the site is from 9th Street. These streets are adequate in size to meet the requirements of the proposed Delivery and Service Vehicle Storage for vehicles exiting and entering once per day.

- 4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed Delivery and Service Vehicle Storage will be subject to inspection for licensing purposes and will not compromise the public health, safety and welfare.

- 5. The use meets all of the applicable conditions per Title 19.04.**

The proposed use for Delivery and Service Vehicle Storage on the existing parking lot has been conditioned to meet the screening requirement of the fence as per Title 19.04, and to replace shrubs, rock mulch and maintain the perimeter and interior landscaping as per the approved plan dated 10/07/1998.

PLANNING COMMISSION ACTION

The Planning Commission added condition #1 to which the applicant agreed. There were speakers at the Planning Commission concerned with the condition of the alley.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 139 by City Clerk

APPROVALS 0

PROTESTS 1